

**Local Development Framework Working
Group**

**3rd September
2012**

Report of the Director of City Strategy

**City of York Council Sub division of Dwellings Supplementary
Planning Document**

Summary

1. The purpose of this report is to seek approval from Members for the draft Supplementary Planning Document (SPD) on the 'Subdivision of Dwellings' (attached at Appendix A of this report), to be published as Council policy for determining planning applications.
2. The role of the Subdivision of Dwellings SPD is to ensure that the subdivision of dwellings is controlled in a manner that provides well designed, good quality homes to allow people to grow and adapt in their homes and to encourage strong and sustainable communities.

Background

3. Members previously approved the draft 'Subdivision of Dwellings' SPD for public consultation. Consultation (joint with the House Extensions and Alterations SPD and the Controlling Houses in Multiple Occupation SPD) took place in spring 2012.
4. In recent years, there has been an increasing concern that some of the proposals for subdivision of dwellings in the City have not been of an adequate standard, particularly with regards to their size, access and effects on the amenity of neighbouring occupants.
5. The SPD sets out key principles for potential developers to ensure that where the subdivision of dwellings are proposed, they:
 - provide adequate internal space;
 - are of a suitable layout;

- have acceptable amounts of internal and external storage space;
- have acceptable levels of facilities;
- do not have an adverse impact on the amenity of neighbouring residents;
- have acceptable access; and
- are designed and built to a high standard of sustainability.

Consultation

6. Public consultation commenced on 23rd January 2012, and ran until 5th March 2012. A number of techniques were used in accordance with the Council's Adopted Statement of Community Involvement (2007).
7. The consultees on the LDF database (specific consultation bodies, general consultation bodies, other groups / organisations and individuals) were consulted by email where possible, or by letter, informing them of the consultation exercise and the opportunity to comment.
8. The consultation documents were made available to view and download on the Council's website. Hard copies of the consultation documents were placed in all the City of York Council libraries and at the Council's receptions at 9 St Leonard's Place, the Guildhall and Library Square. It was also possible for those who required hard copies to ring or email the Integrated Strategy team and request a copy of the documents.
9. In addition to writing to consultees and distributing the consultation documents, it was sought to further publicise the consultation. This was achieved through the following:
 - A City of York Council press release was issued to coincide with the start of the consultation period on 23rd January 2012;
 - A notice was placed in the features section of the City of York Council website home page publicising the consultation and providing a direct link to the Draft SPD webpage;
 - A public notice was published in the Evening Press on Wednesday 25th January 2012. This set out what was being consulted upon, the consultation period and ways to respond alongside where the documents were available for inspection;
 - Whilst there was not an edition of Your Voice / Your Ward published during the consultation period, information about the consultation was provided to all Neighbourhood Management

Officers to include, as appropriate, in the powerpoint presentations which run during ward committee surgeries;

- There was no meeting planned for the Inclusive York Forum during the consultation period. To ensure its members were aware of the consultation and given the opportunity to comment, information about the consultation was circulated via email to those on the Inclusive York Forum distribution list.

10. Additionally, it was requested that as part of the consultation process, members of the Planning Committee would be consulted, via a report taken to Planning Committee during the consultation period. Consequently, a report was taken to Planning Committee on 16th February outlining the consultation exercise. Members noted the content of the report.

11. All comments received are shown in the Summary in Appendix B. The key issues raised in the consultation exercise are briefly summarised below:

- There is no guidance for considering the subdivision of a listed building;
- There is no mention of conservation areas in the document;
- SPD should state that development of an additional dwelling/s does not fall into flood risk standing advice for householder and minor extensions, so consequentially applications should be accompanied by a flood risk assessment, in line with the Council's Strategic Flood Risk Assessment;
- Self contained basement dwellings are 'highly vulnerable' in terms of flood risk, and should not be permitted in Flood Zone 3. Within Flood Zone 2, a Flood Risk Assessment is required as Part C of the Exceptions Test;
- There is no reference to studios in the SPD.

12. Officers have considered the comments received through the consultation process and have made a number of changes as shown in the revised draft of the SPD (Appendix A), and the Summary of Comments (Appendix B).

13. In addition to the changes proposed by officers in response to the consultation exercise there have also been changes to the development plan context. This includes the Government's decision to publish the National Planning Policy Framework (NPPF) on 27th March 2012, and changes to the LDF Core Strategy process. Consequently, it has been necessary to amend Section 2 of the document.

Corporate Priorities

14. The options outlined above accord with the following Council Plan Priorities, as follows:

- Build strong communities;
- Protect vulnerable people;
- Protect the environment.

Implications

15. The following implications have been assessed:

- **Financial** – None
- **Human Resources (HR)** - None
- **Equalities** - None
- **Legal** - None
- **Crime and Disorder** - None
- **Information Technology (IT)** - None
- **Property** - None
- **Other** – None

Risk Management

16. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

Recommendations

17. The views of the LDF Working Group are sought on the issues raised in this Committee Report and the associated draft SPD, to help inform Cabinet when they consider the issues in due course.

Contact Details

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**Report
Approved**



Date 24/8/12

Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Appendix A: Draft Supplementary Planning Document on Subdivision of Dwellings.

Appendix B: Summary of the comments and officer responses and proposed changes.